

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Improving Public Safety Communications in the 800 MHz Band)	WT Docket 02-55
)	
)	
Consolidating the 800 and 900 MHz Industrial/Land Transportation and Business Pool Channels)	ET Docket No. 00-258
)	
Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems)	RM-9498
)	
Petition for Rule Making of the Wireless Information Networks Forum Concerning the Unlicensed Personal Communications Service)	RM-10024
)	
Petition for Rule Making of UT Starcom, Inc., Concerning the Unlicensed Personal Communications Service)	ET Docket No. 95-18
)	
Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for use by the Mobile Satellite Service)	

ORDER

Adopted: September 10, 2004

Released: September 10, 2004

By the Chief, Public Safety and Critical Infrastructure Division:

1. In July 2004, the Commission adopted a *Report and Order* in WT Docket 02-55, which, *inter alia*, ordered reconfiguration of the 800 MHz band to eliminate interference to 800 MHz public safety communication systems.¹ The Commission also required that this reconfiguration be overseen by an independent individual or company who, or which, will serve as a Transition Administrator, subject to

¹ See Improving Public Safety Communications in the 800 MHz Band, *Report and Order*, FCC 04-168 (rel. August 6, 2004)(800 MHz R&O).

oversight by the Commission.² The Commission directed the following organizations to designate a representative to serve on the search committee for the Transition Administrator: Nextel Communications, Inc., The Association of Public Safety Communications Officials-International, The Industrial Telecommunications Association; Southern LINC, and United Telecom Council (collectively, the Search Committee).³

2. The Search Committee, which was directed to convene no later than August 23, 2004,⁴ first convened on August 18, 2004.⁵ It was directed to select a candidate no later than September 20, 2004.⁶ However, on September 3, 2004, the Chairman of the Search Committee petitioned the Commission to extend this date.⁷ Specifically, we were asked to extend the due date so that the selection of a Transition Administrator had to be accomplished within thirty days of the date the Commission issued a Public Notice directing interested parties to the Search Committee's web site. The site contains information on the process to be used to submit a Statement of Interest to become the Transition Administrator.⁸ That Public Notice is being issued concurrently with this Order.

3. The Commission placed an aggressive schedule for the selection of a Transition Administrator because of its concern about continued interference to 800 MHz public safety systems. However, because certain conditions precedent to commencement of 800 MHz band reconfiguration have not yet been satisfied,⁹ we do not believe that the requested extension will have an adverse effect on the band reconfiguration schedule. Moreover, we believe that the additional time requested will result in more responsive proposals from Transition Administrator candidates, and a more complete review of those proposals by the Search Committee.

4. Accordingly, IT IS ORDERED that the deadline for the selection of a Transition Administrator is EXTENDED until October 10, 2004.

5. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

² *Id.* at ¶ 191.

³ *Id.*

⁴ *Id.* at ¶ 192.

⁵ See Letter from Robert M. Gurs, Chairman, Transition Administrator Search Committee to Michael J. Wilhelm, Chief, Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau, filed September 3, 2004. (*TA Extension Request.*)

⁶ *800 MHz R&O* at ¶ 192.

⁷ See generally *TA Extension Request.*

⁸ *TA Extension Request* at 2.

⁹ See, e.g., *800 MHz R&O* at ¶¶ 344, 346.

6. For further information, contact Roberto Mussenden, Esq. Public Safety and Critical Infrastructure Division, Wireless Telecommunications Bureau at (202) 418-0680.

FEDERAL COMMUNICATIONS COMMISSION

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